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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

In re JDS UNIPHASE CORPORATION  
SECURITIES LITIGATION

Master File No. C-02-1486 CW (EDL)

**STIPULATION AND ORDER AS TO  
CORRECTED FORM OF JUDGMENT**

This Document Relates To: ALL ACTIONS

1           The parties, through counsel, hereby stipulate to the entry of a corrected form of  
2 judgment. The form of judgment entered by the Court on March 21, 2008, does not identify  
3 members of the class, as required by Federal Rule of Civil Procedure 23(c)(3). Correction of the  
4 judgment is proper so that the judgment accurately reflects the Court's intent. Fed. R.  
5 Civ. P. 60(a); *Vaughn v. Eastern Airlines, Inc.*, 817 F.2d 685, 689 (11th Cir. 1987). This  
6 correction does not alter the substantive rights of any party or class member, as the Court already  
7 has certified the class referred to in the corrected judgment, and notice of the action also has been  
8 provided to the class. Accordingly, the parties request that the Court enter the [Proposed]  
9 Corrected Final Judgment, attached as Exhibit 1.

10           After the Court entered judgment on March 21, 2008, the parties agreed that no party shall  
11 appeal the judgment (or any other issue in this action) and that Defendants will waive their costs  
12 of suit recoverable in this action. Under the circumstances of this case, no further notice to the  
13 class need now be given. *See, e.g., Rosengarten v. Buckley*, 613 F. Supp. 1493, 1501 (D. Md.  
14 1985) ("The case law does not require shareholder notice or court approval prior to postjudgment  
15 settlement of a class action.").

1 Dated: March 27, 2008

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Pursuant to Stipulation, IT IS SO ORDERED.

3/28/08

Dated: \_\_\_\_\_



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HONORABLE CLAUDIA WILKEN  
United States District Judge